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PETITION

OF

A. J. CARRIER,

LATE INDIAN AGENT FOR THE PONCA INDIANS,

Praying to be allowed the amount expended for employés at said agency in excess of the amount prescribed by law for employés at Indian agencies, and payment of moneys advanced by him for the use of said agency.

JANUARY 19, 1881.—Referred to the Committee on Indian Affairs and ordered to be printed, to accompany bill S. 2057.

*To the Senate and House of Representatives
of the United States of America :*

Your memorialist respectfully represents to your honorable bodies that he was appointed and confirmed a United States Indian agent for the Ponca Indians, in Dakota Territory, for the term of four years from January 7, 1875, and that he assumed the duties of that office on the 1st day of February following.

That every means possible to be employed, with the limited facilities at his disposal, were invoked in the faithful and conscientious discharge of his duty.

Among the means thus employed agriculture was esteemed the most important, and he was constant and unremitting in his efforts to impress its importance upon every Indian on the reservation by example as well as precept. Your memorialist believes his endeavor to inculcate a proper appreciation of its importance was largely a pioneer effort, and notwithstanding the anxiously sincere desire of the best part of said Indians to learn the truth and importance of what he thus sought to impress upon them, serious delays, excuses, false pretexts, and strife of interest, as well as misunderstandings, errors, and obstacles of every kind, were constantly interposed to thwart or delay the success of his purpose involving so complete a revolution in their previous notions and practices.

These difficulties in the way of the harmonious and peaceful accomplishment of this beneficent object, being attacked with zeal and ardor in the love of duty, friendship, and concord, were in the main successfully removed. This characteristic of his administration of affairs at Ponca Agency never has been and never can be successfully controverted; on the contrary it is borne out by the testimony of his late employés as well as that of the Indians themselves.

But the pecuniary expenses involved in it have brought him into serious embarrassment, as is further shown in the accompanying bill for relief; one of the principal causes of this embarrassment being the experimental, antiquated, and then transitory character of the legislation and regulations governing the conduct of Indian agencies.

A marked improvement in this respect was, however, reached on the 1st of April, 1876, when there was issued from the Indian Office a digested system of laws and regulations, together with appropriate forms for the conduct of office work, which has been improved upon from time to time since that date.

Your memorialist's connection with Indian affairs ceased on the 1st of April, 1876. When he assumed charge of his agency one of the first duties he performed, under instructions from the Indian Office, was the payment of \$916.45 due to agency employes for services rendered during the month of January, 1875, under his predecessor, which would aggregate more than \$10,000 per annum. The law making appropriations for the fiscal year ending June 30, 1875, limited the amount to be expended for employes at any one Indian agency to \$6,000 per annum, under which he operated his agency five months in total ignorance of its existence. This law was so amended the year following as to increase the amount to be expended for employes to \$10,000 per annum, in the discretion of the Secretary of the Interior, by written order, which he was verbally assured he would have no trouble in obtaining, but which he never did obtain, owing partly to ignorance of its necessity, and partly to pressing and deep embarrassment growing out of his zeal for the active duties of the agency.

On the 8th of March, 1876, a circular was issued forbidding the expenditure of more than \$6,000 for employes, but this was after nearly all his expense had been incurred.

The law was further amended shortly after he left the service so as to exclude from the \$6,000 allowance for employes all sums paid to Indians employed in any capacity on Indian agencies, thus practically abolishing the rigid limitation in force during his term of service. His payments to white employes were only \$4,984.91, while for Indian labor he paid \$5,344, thus showing his expenditure to have been upwards of a thousand dollars within what is now considered a fair, just, and equitable allowance for agency labor.

Yet, according to the laws of 1874-'75, he is now made liable by the accounting officers of the Treasury in the sum of \$4,329.91, expended for employes in excess of the \$6,000 allowance, for the recovery of which it is now proposed the United States shall sue on his official bond, notwithstanding it is admitted on all hands that the United States have had the benefit of this expenditure, and the further fact that proper vouchers for the same have been administratively passed upon and approved by the Indian Office, the Board of Indian Commissioners, the Interior Department, and allowed by the Second Auditor of the Treasury.

This suspension is therefore really in the office of the Second Comptroller of the Treasury, and is based upon the fact that he failed to obtain the special written order of the Secretary of the Interior for the expenditure.

His application to that functionary for this ratifying approval now, in accordance with this demand, being referred to the Indian Commissioner for report, that officer recommended the approval in strong terms, but the Secretary declined it on the ground that, as it was a technical violation of the law in force at the time, and excepted to by the Second Comptroller on that ground, and occurring under a former administration, and suggested that the Indian Office ask the necessary relief from Congress during the present session, and hence this appeal to your honorable bodies.

This suspension, in addition to the threatened suit, keeps your memorialist from receiving his final quarter's salary and traveling expenses,

aggregating over \$500, as well as \$2,312.60 advanced by him from his private resources in anticipation of receiving his official funds regularly estimated for, for the first quarter of 1876, but never received by him, and from which he expected to be able to repay himself.

This estimate never having been filled, your memorialist has, in consequence, suffered great privation and hardship for the past five years, as the sum advanced impoverished him to such an extent as to render him helpless to do and accomplish what he otherwise would have been able to do.

He therefore respectfully prays your honorable bodies to grant him the relief asked for in the bill herewith presented, and such other relief as in your wisdom shall be proper and just, and your memorialist will ever pray.

A. J. CARRIER,
Late United States Indian Agent.

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